

1 UNITED STATES DISTRICT COURT

2 Northern District of California

3

4 JOHN SHEK

No. C 11-00212 MEJ

5 Plaintiff(s),

6 v.

7 U.S. GOVT NATL LABOR RELATIONS

8 Defendant(s).

9

10 **ORDER DIRECTING PARTIES TO
FILE CONSENT/DECLINATION
FORM**

11 Pending before the Court is Defendant California Nurses Association C.H.E.U.'s motion to
12 dismiss. Upon review of the record in this action, the Court notes that Plaintiff John Shek and
13 Defendant United States Government National Labor Relations, Region 32, have not filed written
14 consents to Magistrate Judge James' jurisdiction. This civil case was randomly assigned to
15 Magistrate Judge James for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the
16 magistrate judges of this district court are designated to conduct any and all proceedings in a civil
17 case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a
18 judgment entered by Magistrate Judge James may be taken directly to the United States Court of
19 Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district
court.

20 You have the right to have your case assigned to a United States District Judge for trial and
21 disposition. Accordingly, the parties shall inform the court, by way of the enclosed form (or the
22 form on the Court's website), whether they consent to Magistrate Judge James' jurisdiction or
23 request reassignment to a United States District Judge for trial. The parties shall inform the Court of
24 their decision by March 10, 2011.

25 **IT IS SO ORDERED.**

26

27 Dated: February 17, 2011

28


Maria-Elena Jones
Chief United States Magistrate Judge

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3 JOHN SHEK

No. C 11-00212 MEJ

4 Plaintiff(s),

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7
8 vs.

9 U.S. GOVT NATL LABOR RELATIONS
10 Defendant(s). /

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12 **CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

13 In accordance with the provisions of 28 U.S.C. § 636(c), the undersigned party hereby
14 consents to have a United States Magistrate Judge conduct any and all further proceedings in this
15 case, including trial, and order the entry of final judgment, and voluntarily waives the right to
16 proceed before a United States District Judge.

17 Dated: _____

Signed by: _____

18
19 Counsel for: _____

20
21 **REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

22 The undersigned party hereby declines to consent to the assignment of this case to a United
23 States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to
24 a United States District Judge.

25
26 Dated: _____

Signed by: _____

27
28 Counsel for: _____

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOHN SHEK

Plaintiff,

v.

U.S. GOVT NATL LABOR RELATIONS

Defendant.

Case Number: 11-00212 MEJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 17, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John Shek
2220 Santiago Street
San Francisco, CA 94116

Dated: February 17, 2011

Richard W. Wiking, Clerk
By: Brenda Tolbert, Deputy Clerk